



Atty. Docket No.: 21715/1010

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Pelletier, et al.
Serial No.: 09/689,952
Filed: October 12, 2000
Entitled: Compositions and Methods Involving
an Essential Staphylococcus Aureus
Gene and its Encoded Protein

Examiner: Kam, C.M.

Group Art Unit: 1653

Conf. No.: 7855

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EV242760073US** on this date, **February 4, 2005**, postage prepaid, in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Nancy Arsenault

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RCE SUBMISSION UNDER 37 C.F.R. §1.114

Sir:

This Amendment is submitted in accordance with the requirements of 37 C.F.R. § 1.114, requiring a submission to accompany a Request for Continued Examination. This submission addresses the rejections made final in the Office Action mailed on July 26, 2004, as well as the Advisory Action mailed on December 17, 2004.

A Petition for Extension of Time is being filed herewith to extend the period of reply up to and including February 15, 2005.

Applicants responded to the Final Office Action on November 15, 2004. As noted in MPEP 706.07(h), on filing an RCE, Applicant may direct that the previously filed, but un-entered After-final amendment and response not be entered, but that, instead, the present submission be entered for consideration by the Examiner. Accordingly, **Applicants request that the previously filed After-final amendment not be entered into the file, but that instead, the Examiner enter the instant submission.**

Amendments to the Claims are shown in the “Listing of the Claims” which begins on page 3 of this paper.

Remarks begin on page 9 of this paper.

Applicants respectfully request entry of the amendments and remarks.